

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

UNITED STATES OF AMERICA	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 1:91CV95
	)	(Financial Litigation Unit)
BOB ALLEN,	)	
Defendant,	)	
	)	
and	)	
	)	
SUMMIT BUILDING SUPPLY,	)	
Garnishee.	)	

**ORDER OF CONTINUING GARNISHMENT**

The United States obtained a judgment against Defendant, Bob Allen, ("Allen"), on August 1, 1991, in the amount of \$12,685.28 plus interest and cost. Subsequently, the United States sought to garnish Allen's wages. On July 3, 2007, the Court entered a Writ of Continuing Garnishment ("Writ") to Garnishee, Summit Building Supply, ("garnishee"). The United States is entitled to a wage garnishment of up to 25% of Allen's net income and has satisfied the prerequisites set forth in 15 U.S.C. §1673.

The defendant Allen was served with the writ of garnishment on or about July 20, 2007 and the garnishee was served on July 20, 2007. No answer has been filed by Allen.

The garnishee filed an Answer on July 31, 2007, stating that at the time of the service of the Writ the garnishee had in their custody, control or possession property or funds owned by the debtor, including non-exempt, disposable earnings.

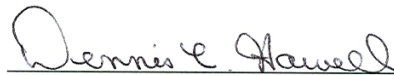
IT IS THEREFORE ORDERED that an Order of Continuing Garnishment is hereby ENTERED in the amount of \$30,621.16 computed through August 8, 2007. The garnishee will

pay the United States up to 25% of Allen's net earnings which remain after all deductions required by law have been withheld and 100% of all 1099 payments, and the garnishee will continue said payments until the debt to the plaintiff is paid in full or until the garnishee no longer has custody, possession or control of any property belonging to Allen or until further Order of this court.

Payments should be made payable to the United States Clerk of Court and mailed to the United States Attorney's Office, 227 West Trade Street, Suite 1650, Charlotte, North Carolina 28202. In order to ensure that each payment is credited properly, the following should be included on each check: Court Number 1:91CV95.

The plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment the defendant would normally receive may be offset and applied to this debt.

Signed: August 9, 2007

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Dennis L. Howell  
United States Magistrate Judge



**CERTIFICATE OF SERVICE**

I certify that on August 8, 2007, the foregoing proposed Order of Continuing Garnishment was served upon the parties listed below by electronic mail and/or mailing a copy thereof, postage prepaid and properly addressed at the last known address as follows:

Bob Allen  
1548 Schronce Creek Road  
Burnsville, NC 28714  
(Defendant)

Summit Building Supply  
252 Possum Trot Road,  
Burnsville, NC 28714  
(Garnishee)

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